

Comparison Of Household and Fairbanks Objections Filed By Rothstein, Cochran, Tomlinson, Bacharach Group

Household Objection

The proposed Class Action Settlement is inadequate, unfair and unreasonable for the following reasons:

1. The proposed Settlement fails to meet the legal prerequisites of fairness, adequacy or reasonableness to the members of the class as mandated by law. It is to the alleged failures, insufficiencies, and unreasonable provisions of the proposed Settlement that these Objections are directed.
2. The many and varied, but serious deficiencies of the proposed Settlement and published notice include the following:
 - a. The notice fails to inform class members of the aggregate size of the class or the sizes of the subclasses...
 - b....
 - c. Objectors object that the Release is overly broad and knowingly and specifically extinguishes claims that are not part of this litigation and are admittedly unknown to class members and class counsel. The Release consists of language that could essentially release Defendants from an action, regardless of how remotely related the new action may be. Indeed, given the complete failure of ...

Fairbanks Objection

The proposed Class Action Settlement is inadequate, unfair and unreasonable for the following reasons:

1. The proposed Settlement fails to meet the legal prerequisites of fairness, adequacy or reasonableness to the members of the class as mandated by law. It is to the alleged failures, insufficiencies, and unreasonable provisions of the proposed Settlement that these Objections are directed.
2. The many and varied, but serious deficiencies of the proposed Settlement and published notice include the following:
 - a. The notice fails to inform class members of the aggregate size of the class or the sizes of the subclasses...
 - b. Objectors object that the Release is overly broad and knowingly and specifically extinguishes claims that are not part of this litigation and are admittedly unknown to class members and class counsel. The Release consists of language that could essentially release Defendants from an action, regardless of how remotely related the new action may be. Indeed, given the complete failure of ...

3. The requested attorneys' fee of \$16 million may be excessive and should be held in abeyance until such time as the court can assess the actual value of the settlement to class members.

4. Objectors request the Court carefully consider the amount of attorneys' fees and expenses requested by class counsel, an issue which Objectors expressly reserve for further argument when the matter of fees is considered.

5. Objectors respectfully request to reserve the right to adopt and incorporate in their Preliminary Objections to the Notice and Proposed Settlement Agreement all other well-taken, timely filed objections.

Wherefore, Objectors respectfully request that this Court:

A. Upon proper hearing, sustain these Objections;

B. Upon proper hearing, continue the issue of attorneys' fees until such time as it can be ascertained (sic) the actual benefit to class members.

C. Upon proper hearing, enter such Orders as are necessary and just to adjudicate these Objections and to alleviate the inherent unfairness, inadequacies and unreasonableness of the proposed Settlement.

3. The requested attorneys' fee of \$8.25 million may be excessive and should be held in abeyance until such time as the court can assess the actual value of the settlement to class members.

4. Objector requests the Court carefully consider the amount of attorneys' fees and expenses requested by class counsel, an issue which Objectors expressly reserve for further argument when the matter of fees is considered.

5. Objectors respectfully request to reserve the right to adopt and incorporate in their Preliminary Objections to the Notice and Proposed Settlement Agreement all other well-taken, timely filed objections.

Wherefore, Objectors respectfully request that this Court:

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C. Upon proper hearing, enter such Orders as are necessary and just to adjudicate these Objections and to alleviate the inherent unfairness, inadequacies and unreasonableness of the proposed Settlement.

